

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

In the Matter of:

**ROBERT HENRY PETERSON****Debtor.**

Case No. \_\_\_\_\_

**DEBTOR'S CLAIM FOR  
PROPERTY EXEMPTIONS**

I, **ROBERT HENRY PETERSON**, the undersigned debtor, hereby claim the following property as exempt pursuant to 11 U.S.C. §522(b)(3)(A), (B), and (C), the Laws of the State of North Carolina, and non-bankruptcy federal law.

☐ Check if the debtor claims as exempt any amount of interest that exceeds \$125,000 in value in property that the debtor or a dependent of the debtor uses as a residence.

**1. REAL OR PERSONAL PROPERTY USED BY DEBTOR OR DEBTOR'S DEPENDENT AS RESIDENCE OR BURIAL PLOT.** (NCGS 1C-1601(a)(1)).

Select appropriate exemption amount below:

- ☐ Total net value not to exceed \$35,000.
- ☐ Total net value not to exceed \$60,000. (Debtor is unmarried, 65 years of age or older, property was previously owned by debtor as a tenant by the entireties or joint tenant with rights of survivorship, and former co-owner is deceased.)

Description of Property & Address	Market Value	Mtg. Holder or Lien Holder(s)	Amt. Mtg. or Lien	Net Value
<b>BOONE, 28607</b>				<b>\$0.00</b>

(a) Total Net Value **\$ 0.00**  
Total Net Exemption \$ \_\_\_\_\_

(b) Unused portion of exemption, not to exceed \$5,000. \$ \_\_\_\_\_  
(This amount, if any, may be carried forward and used to claim an exemption in any property owned by the debtor. (NCGS 1C-1601(a)(2)).

**2. TENANCY BY THE ENTIRETY.** The following property is claimed as exempt pursuant to 11 U.S.C. § 522(b)(3)(B) and the laws of the State of North Carolina pertaining to property held as tenants by the entirety.

Description of Property & Address	Market Value	Mtg. Holder or Lien Holder(s)	Amt. Mtg. or Lien	Net Value

**3. MOTOR VEHICLE.** (NCGS 1C-1601(a)(3)). Only one vehicle allowed under this paragraph with net value claimed as exempt not to exceed \$3,500.)

Year, Make, Model of Auto	Market Value	Lien Holder(s)	Amt. Lien	Net Value
<b>2010 CHEVROLET HHR 55</b>	<b>\$4,000.00</b>	<b>CHARLES D. PETERSON</b>	<b>\$3,216.00</b>	<b>\$784.00</b>

(a) Statutory allowance \$ 3,500

(b) Amount from 1(b) above to be used in this paragraph.  
(A part or all of 1(b) may be used as needed.) \$ \_\_\_\_\_

Total Net Exemption **\$ 784.00**

4. **TOOLS OF TRADE, IMPLEMENTS, OR PROFESSIONAL BOOKS.** (NCGS 1C-1601(a)(5). Used by debtor or debtor's dependent. Total net value of all items claimed as exempt not to exceed \$2,000.)

Description	Market Value	Lien Holder(s)	Amt. Lien	Net Value
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
(a) Statutory allowance			\$ 2,000	
(b) Amount from 1(b) above to be used in this paragraph. (A part or all of 1 (b) may be used as needed.)			\$ _____	
Total Net Exemption			\$ _____	

5. **PERSONAL PROPERTY USED FOR HOUSEHOLD OR PERSONAL PURPOSES NEEDED BY DEBTOR OR DEBTOR'S DEPENDENTS.** (NCGS 1C-1601(a)(4). Debtor's aggregate interest, not to exceed \$5,000 in value for the debtor plus \$1,000 for each dependent of the debtor, not to exceed \$4,000 total for dependents.)

Description	Market Value	Lien Holder(s)	Amt. Lien	Net Value
Clothing & Personal	\$100.00	_____	_____	100.00
Kitchen Appliances	_____	_____	_____	_____
Stove	_____	_____	_____	_____
Refrigerator	_____	_____	_____	_____
Freezer	_____	_____	_____	_____
Washing Machine	_____	_____	_____	_____
Dryer	_____	_____	_____	_____
China	_____	_____	_____	_____
Silver	_____	_____	_____	_____
Jewelry	_____	_____	_____	_____
Living Room Furniture	_____	_____	_____	_____
Den Furniture	_____	_____	_____	_____
Bedroom Furniture	_____	_____	_____	_____
Dining Room Furniture	_____	_____	_____	_____
Lawn Furniture	_____	_____	_____	_____
Television	400.00	_____	_____	400.00
( ) Stereo ( ) Radio	_____	_____	_____	_____
Musical Instruments	_____	_____	_____	_____
( ) Piano ( ) Organ	_____	_____	_____	_____
Air Conditioner	_____	_____	_____	_____
Paintings & Art	\$300.00	_____	_____	300.00
Lawn Mower	_____	_____	_____	_____
Yard Tools	_____	_____	_____	_____
Crops	_____	_____	_____	_____
Animals	_____	_____	_____	_____
Other (computer,) firearms, tools	500.00	_____	_____	500.00
Total Net Value			\$1300.00	

(a) Statutory allowance for debtor \$ 5,000

(b) Statutory allowance for debtor's dependents: \_\_\_\_\_ dependents  
at \$1,000 each (not to exceed \$4,000 total for dependents) \$ 0

(c) Amount from 1(b) above to be used in this paragraph.  
(A part or all of 1 (b) may be used as needed.) \$ 0

Total Net Exemption \$ 1300.00



6. **LIFE INSURANCE.** (As provided in Article X, Section 5 of North Carolina Constitution.)

Name of Insurance Company \_\_\_\_\_ Policy No. \_\_\_\_\_  
 Name of Insured \_\_\_\_\_ Policy Date \_\_\_\_\_  
 Name of Beneficiary \_\_\_\_\_

7. **PROFESSIONALLY PRESCRIBED HEALTH AIDS (FOR DEBTOR OR DEBTOR'S DEPENDENTS).**  
 (NCGS 1C-1601(a)(7). No limit on value of number of items.)

Description: \_\_\_\_\_  
 \_\_\_\_\_

8. **DEBTOR'S RIGHT TO RECEIVE FOLLOWING COMPENSATION:** (NCGS 1C-1601(a)(8). No limit on number or amount.)

- A. \$ \_\_\_\_\_ Compensation for personal injury to debtor or to person whom debtor was dependent for support.  
 B. \$ \_\_\_\_\_ Compensation for death of person of whom debtor was dependent for support.  
 C. \$ \_\_\_\_\_ Compensation from private disability policies or annuities.

9. **INDIVIDUAL RETIREMENT PLANS AS DEFINED IN THE INTERNAL REVENUE CODE AND ANY PLAN TREATED IN THE SAME MANNER AS AN INDIVIDUAL RETIREMENT PLAN UNDER THE INTERNAL REVENUE CODE** (NCGS 1C-1601(a)(9). No limit on number or amount.) **AND OTHER RETIREMENT FUNDS DEFINED IN 11 U.S.C. § 522(b)(3)(c).****Detailed Description****Value**

\_\_\_\_\_  
 \_\_\_\_\_

10. **COLLEGE SAVINGS PLANS QUALIFIED UNDER SECTION 529 OF THE INTERNAL REVENUE CODE.**  
 (NCGS 1C-1601(a)(10). Total net value not to exceed \$25,000 and may not include any funds placed in a college saving plan within the preceding 12 months not in the ordinary course of the debtor's financial affairs. This exemption applies only to the extent that the funds are for a child of the debtor and will actually be used for the child's college or university expenses.)**Detailed Description****Value**

\_\_\_\_\_  
 \_\_\_\_\_

11. **RETIREMENT BENEFITS UNDER A RETIREMENT PLAN OF OTHER STATE AND GOVERNMENTAL UNITS OF OTHER STATES, TO THE EXTENT THOSE BENEFITS ARE EXEMPT UNDER THE LAWS OF THAT STATE OR GOVERNMENTAL UNIT.** (NCGS 1C-1601(a)(11). No limit on amount.)

Description: \_\_\_\_\_  
 \_\_\_\_\_

12. **ALIMONY, SUPPORT, SEPARATION MAINTENANCE AND CHILD SUPPORT.** (NCGS 1C-1601(a)(12). No limit on amount to the extent such payments are reasonably necessary for the support of Debtor or dependent of Debtor.)

Description: \_\_\_\_\_  
 \_\_\_\_\_

13. **ANY OTHER REAL OR PERSONAL PROPERTY WHICH DEBTOR DESIRES TO CLAIM AS EXEMPT THAT HAS NOT PREVIOUSLY BEEN CLAIMED ABOVE.** (NCGS 1C-1601(a)(2). The amount claimed may not exceed the remaining amount available under paragraph 1(b) which has not been used for other exemptions.)

Description	Market Value	Lien Holder(s)	Amt. Lien	Net Value
<u>cash</u>	<u>100.00</u>			<u>100.00</u>
<u>checking account</u>	<u>100.00</u>			<u>100.00</u>

(a) Total Net Value of property claimed in paragraph 13. \$ 200.00

(b) Total amount available from paragraph 1(b). \$ \_\_\_\_\_

(c) Less amounts from paragraph 1(b) which were

Used in the following paragraphs:

Paragraph 3(b) \$ \_\_\_\_\_

Paragraph 4(b) \$ \_\_\_\_\_

Paragraph 5(c) \$ \_\_\_\_\_

Net Balance Available from paragraph 1(b) \$ \_\_\_\_\_

Total Net Exemption \$ \_\_\_\_\_

**14. OTHER EXEMPTIONS CLAIMED UNDER THE LAWS OF THE STATE OF NORTH CAROLINA:**

Aid to the Aged, Disabled and Families with Dependent Children, NCGS 108A-36 \_\_\_\_\_

Aid to the Blind, NCGA 111-18 \_\_\_\_\_

Yearly Allowance for Surviving Spouse, NCGS 30-15 \_\_\_\_\_

North Carolina Local Government Employees Retirement Benefits, NCGS 128-31 \_\_\_\_\_

North Carolina Teachers and State Employees Retirement Benefits, NCGS 135-9 \_\_\_\_\_

Firemen's Relief Fund Pensions, NCGS 58-86-90 \_\_\_\_\_

Workers Compensation Benefits, NCGS 97-21 \_\_\_\_\_

Unemployment Benefits, so long as not commingled and except for debts  
for necessities purchased while unemployed, NCGS 96-17 \_\_\_\_\_

Group Insurance Proceeds, NCGS 58-58-165 \_\_\_\_\_

Partnership Property, except on a claim against the partnership, NCGS 59-55 \_\_\_\_\_

Wages of a Debtor Necessary for Support of Family, NCGS 1-362 \_\_\_\_\_

Other \_\_\_\_\_

TOTAL VALUE OF PROPERTY CLAIMED AS EXEMPT \$ \_\_\_\_\_

**15. EXEMPTIONS CLAIMED UNDER NON-BANKRUPTCY FEDERAL LAW:**

Foreign Service Retirement and Disability Payments, 22 U.S.C. § 1104 \_\_\_\_\_

Social Security Benefits, 42 U.S.C. § 407 \_\_\_\_\_

Injury of Death Compensation Payments from War Risk Hazards, 42 U.S.C. § 601 \_\_\_\_\_

Wages of Fishermen, Seamen and Apprentices, 46 U.S.C. § 601 \_\_\_\_\_

Civil Service Retirement Benefits, 5 U.S.C. §§ 729, 2265 \_\_\_\_\_

Longshoremen and Harbor Workers Compensation Act Death and Disability Benefits,  
33 U.S.C. § 916 \_\_\_\_\_

Railroad Retirement Act Annuities and Pensions 45 U.S.C. § 228(L) \_\_\_\_\_

Veterans Benefits, 45 U.S.C. § 352(E) \_\_\_\_\_

Special Pension Paid to Winners of Congressional Medal of Honor, 38 U.S.C. § 3101 \_\_\_\_\_

Federal Homestead Lands, on Debts Contracted Before the Issuance of the Patent,  
43 U.S.C. § 175 \_\_\_\_\_

Other \_\_\_\_\_

TOTAL VALUE OF PROPERTY CLAIMED AS EXEMPT \$ 0.00



**16. RECENT PURCHASES**

The exemptions provided in NCGS 1C-1601(a)(2), (3), (4), and (5) are inapplicable with respect to tangible personal property purchased by the debtor less than 90 days preceding the initiation of judgment collection proceedings or the filing of a petition for bankruptcy, unless the purchase of the property is directly traceable to the liquidation or conversion of property that may be exempt and no additional property was transferred into or used to acquire the replacement property.

List tangible personal property purchased by the debtor less than 90 days preceding the filing of the bankruptcy petition:

Description	Market Value	Lien Holder(s)	Amt. Lien	Net Value
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

DATE:

02/28/2019

Robert Henry Peterson  
Debtor